

**MINUTES  
CITY OF CANANDAIGUA  
PLANNING COMMISSION  
February 12, 2019**

PRESENT:     Chairman Torsten Rhode                      Commissioner Adrienne Kantz  
                 Vice Chairman Stanley Taylor                Commissioner Lindsay Pennise  
                 Commissioner Jeff Ayers                      Commissioner Guy Turchetti  
                 Commissioner Anne Beyer

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairman Rhode asked if anyone had any additions or corrections to the January 8, 2019 Meeting Minutes. Commissioner Taylor moved to approve the minutes as corrected. Commissioner Beyer seconded the motion, which carried by unanimous voice vote (7-0).

**REVIEW OF APPLICATIONS**

**ITEM 1**        **Application #16-017B: 205 Lakeshore Drive, CANANDAIGUA FINGER LAKES RESORT Architectural Review amendment to garage design approved on August 14, 2018.**

Sam LaGambina, the project's construction manager from Eastern Hospitality, represented the application. He said there were a few minor changes that resulted from the structural engineering of the garage. The length is unchanged at 264 feet. The width increased by 8 feet, from 117 feet to 125 feet. The other change is to go from two entrances to one entrance with an internal ramp. This is reflected on an updated site plan. Architecturally, he said the structure is built into the grade with less exposure, but there is no change in the height of the structure. He said the engineering also required a change in the number and size of the windows.

Commissioner Pennise confirmed that the windows are not true windows with glass, but just openings. Cars within the structure will be visible. As proposed there is no screen or muntins in the openings.

Commissioner Kantz asked if vehicles would be visible on the top level of the structure. Mr. LaGambina said there will be a four foot high knee wall to shield the headlights, but the vehicles will be visible.

Commissioner Taylor asked when the project would begin. Mr. LaGambina said they have made application for the building permit and the plans are being reviewed. Financing should be in place shortly.

Commissioner Pennise asked about the man door. Mr. LaGambina said it is a steel door, but he was fine with making it a storefront door.

Commissioner Ayers asked if they had considered adding dividers in the windows as was shown in the previous design. Mr. LaGambina said they could add these. Commissioner Ayers said he was not sure this would look right with the smaller windows. Commissioner Pennise agreed. These windows may be too small to be divided into two-over-two as was done previously.

The board reviewed the design of the hotel windows, which have two-over-two muntins.

Mr. LaGambina offered to “picture frame” the opening and, if desired, to add muntins similar to the hotel.

Chairman Rhode worried that this much detailing might draw too much attention to the garage. Commissioner Pennise said a rendering would be helpful.

Chairman Rhode said there are many different sizes of windows, including one that is cut diagonally due the ramp location. Mr. LaGambina said they had considered removing the windows on the south side and adding more landscaping.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Kantz moved that the Planning Commission Approve the application as submitted and presented, with the following conditions:

1. The one diagonal cut window opening shall be removed and increased landscaping shall be added to this face of the building.
2. The applicant will return at a later date with the final detailing for the window and door openings.

Commissioner Taylor seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 2**      **(Public Hearing) Application #18-357: 245 South Main Street, BELL ATLANTIC MOBILE, for Historic Alteration and Special Use Permit (Public Utility) to attach an antenna to the existing building to establish a small cell wireless facility.**

Chairman Rhode noted that the next three items are similar in the applicant and general request.

Nathan Vander Wal, from Nixon-Peabody, represented the application. With him were Lisa Maas-Vangellow, from Airosmith Development, and Josh Doolin, an RF engineer with Verizon Wireless. Mr. Vander Wal said Verizon Wireless is charged with providing a certain threshold of coverage throughout their network. They constantly review the network for possible deficiencies to avoid falling below that threshold. Historically, a small number of tall towers (macro units) were enough to provide adequate coverage. However, now the existing infrastructure cannot meet the increased demand across the network. In response they are moving towards providing smaller units (micro cells or small cells) to provide coverage to specific areas of high demand (hot spots). These units are typically a single antenna, about the size of a five gallon bucket, which provides coverage within a ¼ mile range. This reduces the load on the large towers.

Mr. Vander Wal said the two towers in the city are at maximum capacity and Verizon has identified a need for four, small cell locations. Tonight they have developed proposals for three of these four sites. The fourth site is still in development.

Chairman Rhode reminded the board that the utility had the right to provide these antennas, but the board had the right to review the specific locations, design, and appearance to ensure compatibility with the neighborhood.

Chairman Rhode asked the board if they wanted to review the submitted documentation establishing the need for these antennas. They did not; this need was accepted.

Mr. Vander Wal presented the first location. He said this is a rooftop installation, with a single-antenna on a mast with an overall height of 30 feet. Utility poles are the most desirable location for access and operation, but that was not possible in this case. They investigated 8-10 structures in the vicinity and found this site to be the most desirable, especially with regard to line-of-sight which was important for the signal. The property owner agreed to enter into a lease agreement.

Chairman Rhode opened the Public Hearing. Seeing no one, the hearing was closed.

Commissioner Taylor said this location would be very visible, especially when traveling north on Main Street. He said this is a valued historic district and this installation would have a negative impact on the character of the district. Was there any way to better camouflage the antenna so that it would not be so obvious? Mr. Vander Wal said there are many options, but he cannot speak to what specific techniques might be possible for this installation.

Josh Doolin addressed the board. He said that to provide the best possible signal, they need to maximize line-of-sight, so in some ways they are working at cross purposes with regard to minimizing the visual impact of the antenna.

Chairman Rhode said there is a utility pole in close proximity to this location, visible in the submitted photos. Mr. Doolin said that location was less desirable because it would not provide the same line-of-sight benefit. Mr. Vander Wal said that not all poles can be used for an installation due to other limitations.

Commissioner Ayers asked about the lease agreement with the property owner. Mr. Vander Wal said he could not release the details of that agreement. Commissioner Ayers said it felt like the property owner was selling out the historic value of the district in exchange for income from the lease. Mr. Vander Wal clarified that Verizon had approached the owner first, only after identifying this as a desirable location for a needed utility.

Commissioner Pennise asked what happens when this equipment is no longer necessary. Mr. Vander Wal said some local laws require removal. Chairman Rhode said the board could require this as a condition of approval, if no such local law exists.

Chairman Rhode said he understood the line-of-sight concern for the antenna, but asked about the other associated equipment that would also be clearly visible. Mr. Doolin said this equipment did not have to be in close proximity to the antenna and could be relocated so as not to be visible. Chairman Rhode said there are many rooftop projections downtown. He said that a single, white antenna might be less noticeable if it did not include all the additional equipment. Mr. Doolin also said the antenna could be other colors.

Commissioner Pennise asked if the location could be pushed back further on the roof to be less visible. Mr. Doolin said moving it back would reduce line-of-sight and therefore reduces the signal.

Commissioner Taylor asked the designers to provide a better alternative to this installation. He said he could not vote yes on this proposal as submitted; it does not look good. He said the city has worked very hard to preserve the historic architecture downtown and improve the aesthetics, including every small detail. He said accepting this proposal as submitted would be a step backwards. He said he is not disputing the need for the utility or even the general location, but he would like to see options as to what it might look like. He said he is not looking for something outlandish, but something that would be tasteful and blend in with the historic business district.

Commissioner Ayers said he was surprised that this proposal came forth with no attempt to camouflage the equipment. Commissioner Pennise agreed and said this was the first building you see in the district when approaching from the south.

Mr. Vander Wal said they could explore other options, certainly moving the accessory equipment. Then they could look to see what type of camouflage options might be available.

Chairman Rhode said he is also concerned with the precedent that might be set with this application. It is likely that other cell companies will come forth with similar requests, so the board wants to be careful with how this is executed before other instances are multiplied throughout the district.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Taylor moved that the Planning Commission **Deny** the application as submitted, finding that the design proposed is not consistent with the Main Street historic business district. He would like to see other design options.

Commissioner Pennise seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 3**      **(Public Hearing) Application #18-358: Adjacent to 130 North Pearl Street, BELL ATLANTIC MOBILE, for Architectural Review and Special Use Permit (Public Utility) to replace existing utility pole with a 45' pole with attached antenna to establish a small cell wireless facility.**

Nathan Vander Wal, from Nixon-Peabody, represented the application. He said for this application Verizon was able to identify an existing RG&E utility pole. Verizon would enter into an agreement with RG&E to sublease the space. The site was selected due to the need generated by the school. The pole is across the street from the school, providing direct line-of-sight to the building. The existing pole would be replaced. The new, wooden pole would have a total height of 38'-6". The antenna would be installed on a bracket at a height of 31'-10". The existing light and equipment would then be reinstalled.

Chairman Rhode opened the Public Hearing. Seeing no one, the hearing was closed.

Chairman Rhode confirmed that the existing pole is 22 feet high.

Commissioner Pennise said if the demand was generated by the school, then why they couldn't find a location on the school property, tucked away from public view. Mr. Vander Wal said that the preference was to install on an existing utility pole. Mr. Doolin said they had asked the school district to locate on site, but their request was denied. Mr. Vander Wal said that regardless of the schools willingness, Verizon was required by their license to provide a level of service at this location.

Commissioner Pennise said that this is a very beautiful area of the city, adjacent to Woodlawn Cemetery, right next to the historic stone wall. She believes this will be a detriment to those aesthetics. Why couldn't it at least be on the other side of the street? Mr. Doolin said the poles on the other side are less desirable because of the trees, which will interfere with the line-of-sight signal. Commissioner Pennise said she understood that the signal might be slightly reduced, but putting these antennas out in the open is unattractive.

Chairman Rhode said he is even more concerned with the cabinet mounted at 8 feet high, which is more at eye level. This is a large cabinet. Commissioner Taylor asked if this box must be mounted on the pole. Mr. Doolin said that it was required to be on the pole. Chairman Rhode asked if the box could be mounted higher, out of eye level. Mr. Doolin said that it could not.

Commissioner Ayers asked if the poles on the east side were not feasible as a location due to the number of lines and equipment already on these poles. Mr. Vander Wal said he was unsure, but often that is the case. He could look into this.

Chairman Rhode agreed with Commissioner Pennise, he'd rather see the antenna located on school property, or at least on that side of the street. He wondered if there was anything the City could do to open dialog with the school district with regard to this matter.

Commissioner Pennise asked if there was any health concerns related to living near one of these facilities. Mr. Vander Wal said there have been extensive studies about this. FCC has set a threshold and these facilities would generate less the 1% of that threshold.

Commissioner Taylor asked about the Emergency Squad property. Mr. Doolin said this area is surrounded by trees, which detracts from that location.

Mr. Vander Wal said they could provide an inventory of all the locations they investigated and the limitations of those locations. Chairman Rhode also asked for a relative comparison of the viability of each site. For example, was one site 95% as good as the best location?

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Taylor moved that the Planning Commission **Table** the application to allow the applicant to provide an inventory of other possible locations and the feasibility of these locations as well as to provide alternative design configurations and technology. The board also requested photographs of actual installations.

Commissioner Pennise seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 4**      **(Public Hearing) Application #18-359: Adjacent to 134 North Main Street, BELL ATLANTIC MOBILE, for Historic Alteration and Special Use Permit (Public Utility) to replace existing utility pole with a 45' pole with attached antenna to establish a small cell wireless facility.**

Nathan Vander Wal, from Nixon-Peabody, represented the application. He said this project has the same specs as the previous application. This provided coverage to the north end of the commercial district. This location was selected because it provides excellent line-of-sight and is on a pole owned by RG&E. This pole would be 38 feet high; the current pole is 26 feet. The antenna would be at a height of 31'-10.

Chairman Rhode opened the Public Hearing.

Neil Kromer and Karen Behlau, from 144 North Main, have lived next door to the library for more than 10 years. They are very proud of this historic area and they have concerns of the aesthetics. Mr. Kromer wondered if they could possibly relocate the pole to the west, down Wilcox Lane, and possibly take care of the school as well. He also said the taller pole and antenna would detract from the prominent flag pole at the library.

Chairman Rhode asked if there were any other speakers. Seeing none, the hearing was closed.

Commissioner Taylor asked if any other options were considered. Mr. Doolin said they had approached Thompson Apartments, but they denied the request.

Commissioner Taylor asked if the antenna could be incorporated into the flag pole. Mr. Doolin said that when antennas are in flag poles, they are on much larger and taller flag poles.

Chairman Rhode asked what would happen if the poles or light fixtures were removed, such as a change to a lower, historic fixture. Mr. Vander Wal said an alternative location would then need to be found.

Commissioner Taylor said this site is a prominent location in the city's historic district and again, they work very hard to preserve and protect the aesthetics and historic characteristics of these districts. The appearance of this proposal is not consistent with that historic district. Commissioner Pennise said she completely agreed. This location is very visible and approving it would be a step backward in their effort to protect these districts.

Chairman Rhode said, like the previous application, he would like to see an inventory of alternative locations.

Commissioner Taylor also asked to see other design configurations or technologies. Chairman Rhode agreed, saying again he specifically objects to the location and configuration of the utility box mounted at 8 feet high.

Mr. Vander Wal said they would provide evidence of their due diligence in investigating other locations, but he said visibility from Main Street was necessary to provide coverage to Main Street. Many locations would not provide a solution to meet the need.

Chairman Rhode said there may be locations that could meet the need, but be less than ideal for some reason. These locations might be adequate and be more acceptable to the board, because they would have less of an impact of the character of the historic district.

Commissioner Taylor said the board goes to great effort to review every detail of projects occurring in the historic districts. They are asking no more of this applicant than they do of any other property owner in the district.

Mr. Vander Wal said that he has worked with many historic preservation boards and understands that this is not an irrational request.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Kantz moved that the Planning Commission **Table** the application to allow the applicant to provide an inventory of other possible locations and the feasibility of these locations as well as to provide alternative design configurations and technology.

Commissioner Turchetti seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 5**      **Application #19-016: 93 South Main Street, VETERANS of FOREIGN WARS, for Historic Alteration to construct an exit and second-story stairway on the rear of the building.**

Fred Gerstner, member of the VFW, presented the application. He said they want to restore the occupancy in the third floor of the building. In order to do this, they need to open an existing door that has been nailed shut and sided over. He said the new door would be a nine-light, steel door with a storm door.

Mr. Gerstner said they also needed to construct two stairs down to the roof as an emergency exit. He said this stair was not visible from the ground. He would like to use pressure-treated lumber instead of metal, since ice on the metal would be a problem.

Commissioner Ayers asked why they needed a storm door if the door was only for an emergency exit. Mr. Gerstner said they would use the door for light and ventilation.

Mr. Brown asked if the wood would be stained or painted. Chairman Rhode said that he thought it would look better if it was allowed to naturally age to a silvery grey.



Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Pennise moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 6**      **Application #18-108B: 770 South Main Street, INN ON THE LAKE, Site Plan Review and Architectural Review to demolish and reconstruct the hotel with supporting infrastructure. (Amendment to plans approved 8/14/2018)**

Jess Sudol, the project engineer with Passero Associates, presented the application. He said there have been two minor changes since the project was approved. A spa and wedding preparation area have been added to the ground floor of the center “Creekside” building. There are no additional hotel rooms, but the previous two floors of rooms will be stacked above this, making a three-story building. Also, the supporting kitchen area in the Event Barn has been expanded. He said that the capacity of the Event Barn has been established as 500 and although it is unlikely that they will have such a large event, they have acquired permission to park at the plaza across Main Street when they are at full capacity.

Commissioner Pennise asked about the capacity of the event barn. Mr. Sudol said it was originally designed for 250 people, but based on the square footage; the capacity under fire code is set at 500. This would require auditorium seating instead of tables and chairs.

Commissioner Ayers asked about the Industrial Development Agency benefits for a conference facility that provides seating for 500. Why would they provide benefits to a facility that did not really intend to hold events of this size?

Commissioner Taylor asked what would happen if the Wegmans property across Main Street was redeveloped or no longer available for parking. Mr. Sudol said that if this happened, they would provide parking at another off-site location or they could seek a variance from this requirement. Commissioner Pennise said she was not especially concerned about the parking provided, since the owner would be most impacted if the parking was insufficient.

Commissioner Taylor noted that many of the windows from the previous design have been replaced with doors. He said he was still looking to decrease the noise coming from this building. He would still like to see fixed windows. Mr. Sudol said the doors would remain closed, unlike windows that could remain open, so this design would decrease the sound.

Chairman Rhode said that the majority of the time the windows would remain closed for HVAC.

Commissioner Pennise said it would be much quieter than the previous tent. Commissioner Turchetti agreed and noted that there were never complaints even with the tent.

Commissioner Pennise asked about the status of docking along Sucker Brook. Mr. Sudol said there would be no dredging and therefore no boats docked along Sucker Brook.

Commissioner Beyer asked about the DPW comment regarding the adequacy of the water service. Mr. Sudol said that the water demand is based on the sprinkler system and since that design has not changed, the water service is sufficient as previously planned.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Kantz moved that the Planning Commission Approve the application as submitted and presented, with the following condition:

1. If the Wegmans property is not available to use for overflow parking, the applicant shall provide an alternate site for overflow parking or acquire a variance from the parking requirement.

Commissioner Turchetti seconded the motion, which carried with a unanimous voice vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

### **MISCELLANEOUS**

Chairman Rhode reported that Commissioner Taylor and Commissioner Pennise have been appointed to the newly formed Comprehensive Plan Committee. Commissioner Kantz was appointed to represent the city on the Town of Canandaigua's Comprehensive Plan Committee.

### **ADJOURNMENT:**

Commissioner Pennise moved to adjourn the meeting at 9:45. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (7-0).

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Richard Brown  
Director of Development & Planning

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Torsten Rhode  
Planning Commission Chairman